

Message Text

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ORIGIN SCI-06

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FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

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GDS

TAGS: ENGR, TECH, JA

REFS: (A) TOKYO 15801; (B) TOKYO 15952

SUBJECT: US-JAPAN AGREEMENT ON ENERGY R&D

1. PENDING FINAL USG CLEARANCE ON DETAILED RESPONSE REFTELS
THIS IS AN INTERIM REPLY TO PROVIDE EMBASSY WITH REQUESTED
USG REACTION IN GENERAL.

2. WE ARE BASICALLY PLEASED WITH CONSTRUCTIVE JAPANESE
COUNTER PROPOSALS SOME OF WHICH WE ACCEPT IN TOTO.
PLEASE INFORM GOJ, IN PARTICULAR, WE PLACE HIGH VALUE
ON THEIR EXPRESSED RECOGNITION THAT CONTRIBUTION BY EACH
PARTY TO THE AGREEMENT BE BALANCED.

3. ARTICLES I, VII AND VIII ARE ACCEPTABLE. ARTICLE III
DEPT. NEEDS FURTHER EXPLANATION OF BRACKETED "ADVANCED
POWER GENERATING SYSTEMS" BEFORE IT CAN DETERMINE IF
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SUBJECT IS ACCEPTABLE TO TECHNICAL AGENCIES. IS IT MEANT

TO REPLACE ONE OR MORE SUBJECTS PROPOSED PREVIOUSLY BY USG.
IF NOT, WE QUESTION NEED FOR IT, SINCE SEVERAL OTHER
SUBJECTS MENTIONED SPECIFICALLY BY GOJ FALL IN THIS
CATEGORY. BRACKETED "ADVANCED TRANSPORTATION VEHICLES"
ACCEPTABLE TO DOT IF CHANGED TO "TRANSPORTATION SYSTEMS"
WHICH, WHILE NOT EXCLUDING VEHICLE R&D, WOULD ALSO INCLUDE
BROADER SCOPE OF DOT'S R&D EFFORTS (E.G., SEE STATE A-7754
OF SEPT. 11, 1973, ON THE SUBJECT OF DOT INTEREST IN

FOREIGN GOVT. R&D IN ENERGY FIELD.

4. ART. IX. IN ORDER TO AVOID POSSIBILITY OF PLACING ONUS
ON ANY ONE PARTY TO ACTING POSITIVELY TO TERMINATE AGREE-
MENT, PREFER RETENTION ORIGINAL LANGUAGE U.S. DRAFT THIS
ARTICLE, BUT IN SEPARATE PARA 2 AS PROPOSED BY GOJ.
HOWEVER, IN ORDER TO PROVIDE SUFFICIENT TIME TO EVALUATE
PROGRESS, RECOMMEND INITIAL PERIOD OF AGREEMENT TO FIVE
(5) RATHER THAN TWO (2) YEARS. ARTICLE IX PARA 1 OF
GOJ DRAFT ACCEPTABLE. ARTICLE IX PARA 2 SHOULD READ:
"THIS AGREEMENT SHALL REMAIN IN FORCE FOR FIVE YEARS
AND MAY BE MODIFIED OR EXTENDED BY MUTUAL AGREEMENT.
THE TERMINATION OF THIS AGREEMENT SHALL NOT AFFECT THE
VALIDITY OF ANY ARRANGEMENTS MADE UNDER THIS AGREEMENT."
EMBASSY SHOULD EXPLAIN THAT DEPT. CONSIDERS IT GENERALLY
PREFERABLE PRACTICE TO HAVE AGREEMENTS OF A DEFINITE
DURATION RATHER THAN AGREEMENTS WHICH CONTINUE IN-
DEFINITELY IN ABSENCE OF ANY FURTHER ACTION. AS
EXAMPLE, RECENT US-SOVIET AGREEMENT ON S&T IS FOR FIVE
YEARS. WE BELIEVE THAT LONGER INITIAL TERM WILL BE AT
LEAST PARTIAL SOLUTION TO ISSUES RAISED IN REFTEL (B),
PARA 5(E).

5. FURTHER INSTRUCTIONS ON CONTINUING NEGOTIATIONS OF
ARTICLES II, III, IV, V AND VI, WILL FOLLOW BY
SEPTTEL. RUSH

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